

VZCZCXRO7038  
PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHROV  
DE RUEHBW #0797/01 1571309  
ZNY SSSSS ZZH  
P 061309Z JUN 07  
FM AMEMBASSY BELGRADE  
TO RUEHC/SECSTATE WASHDC PRIORITY 0963  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

S E C R E T SECTION 01 OF 02 BELGRADE 000797

SIPDIS

SIPDIS

DEPT FOR EUR/SCE AND S/WCI

E.O. 12958: DECL: CLOSURE OF ICTY  
TAGS: [ICTY](#) [PGOV](#) [PREL](#) [SR](#)  
SUBJECT: DETAILS, IMPACT OF TOLIMIR ARREST

Classified by Ambassador Michael Polt, reasons 1.4 (b,d)

¶1. (s) Summary: A recent meeting with Serbia's Action Plan coordinator revealed that Tolimir was in fact arrested in Belgrade. The circumstances of the arrest point mostly to internal political motivations vice a sea change in ICTY policy. Nevertheless, the result was positive, and proved the operational capacity and political will can be found to complete ICTY cooperation, in the right circumstances. Keeping the Mladic redline on concluding the SAA and full euro-atlantic integration could be a key to encouraging additional action. End Summary.

¶2. (s) An apologetic Rasim Ljajic, chairman of the National Council for Cooperation with the ICTY, met with poloffs June 5 to revise information he had provided at the time of the Tolimir arrest operation. He admitted that Tolimir had indeed been arrested in Belgrade and transported to the Serbia-RS border, where it was arranged for RS police to apprehend him for further transfer to The Hague. Somewhat agitatedly, Ljajic noted that of the five Action Plan coordinators (including himself), only BIA chief Bulatovic had any knowledge of the operation in advance. In fact, Ljajic confirmed this was an all-BIA operation, noting that police units were on the border "essentially for show." He added that one other person in the cabinet was aware of the operation (hinting at Kostunica Chief of Staff Aleksander Nikitovic, who he had previously reported called Ljajic for details of the operation).

¶3. (s) Ljajic noted that in his meeting with ICTY chief prosecutor Carla del Ponte, Kostunica refused to confirm the details of the operation, saying he "couldn't comment on that." Ljajic said she was later informed in other meetings of the nature of the operation. She reportedly told Kostunica that, while Tolimir's arrest was of course good news, her take-away from the operation was a clear message that the GoS knows where the remaining PIFWCs are and has the ability to hand them over. A frustrated Ljajic told us the GoS "had the ball, and could have scored a goal, but instead decided to play kindergarten games" with Tolimir, noting the goodwill and trust that could have been generated by an arrest in Serbia.

¶4. (s) Ljajic said that, in addition to strengthening the case for restarting SAA talks on the eve of Carla del Ponte's planned visit, the operation had three main goals: first, to strengthen the position of BIA chief Rade Bulatovic; second, to strengthen the RS leadership; and third, to preserve Kostunica's "voluntary surrender" policy.

¶5. (s) Ljajic said that, as a result of this all-BIA operation, Kostunica was making a play to make Bulatovic an indispensable resource for del Ponte for concluding ICTY business. As such, he expected del Ponte to lobby now for Bulatovic to stay in his position as BIA chief - a key point of contention between DS and DSS in coalition negotiations that remained unresolved even after the government was formed. Now, Ljajic said, DS's hands would be tied - they could not legitimately fight Bulatovic staying on if del Ponte was pushing to keep him. This, Ljajic said, would naturally hurt the DS internally and with its voters, "but no more than they have

already hurt themselves with all their concessions" in forming a coalition government with DSS, he added.

16. (s) Ljajic also maintained the move was designed to bolster the RS police and political leadership. Ljajic said the RS leadership has come under increasing pressure to do more on police reform and ICTY cooperation, and up to now did not have a legitimate public PIWFC capture to their credit. Wrapping up Tolimir, he surmised, would lessen the pressures on the RS leadership to do more on police reforms for the time being. Finally, Ljajic noted that, by pushing Tolimir across the border, Kostunica could maintain his policy of pursuing only voluntary surrenders, a key touchstone for Socialists, Radicals, and others in the "anti-Hague lobby." This would serve to dampen somewhat the opposition to the move by SPS and SRS politicians, who would likely question Kostunica's nationalist credentials if he were to sanction an arrest in Serbia.

17. (s) Nevertheless, SRS SecGen Aleksander Vucic, within 24 hours of the arrest, was already in the press alleging (correctly, as it turned out) that Tolimir had been arrested in Serbia. Tolimir himself proclaimed this to be true, and accused the GoS of illegally extraditing a Serbian citizen to another country for prosecution. On June 4, parliamentary defense and security committee chairman (and SPS president) Ivica Dacic called for an immediate investigation into the allegations and the details of the operation. Asked what the government's press plan was to deal with this (given the fact that the accusations are true), Ljajic said the government has no plan. He said Kostunica and the government will simply remain silent, as they have in past potential scandals, and wait for the story to peter out. Meanwhile, Ljajic said there are solid leads on remaining PIFWC Stojan Zupljanin, and said Goran Hadzic's family has made contact with Serbian officials, which he said was a positive sign.

18. (s) Comment: We have heard elsewhere that some of the supposedly key Action Plan members were left out, or kept out, of the

BELGRADE 00000797 002 OF 002

loop on this operation. While Ljajic has his own agenda (he is a Tadic ally with a small power base eager to maintain good ties with the international community), his information fits both with other details we have received and with the main stream of conjecture in the international community. We told Ljajic that, whatever the details, it is good that Tolimir is in The Hague - and we expect Mladic to follow, given the proven operational capacity and political will, however selectively applied. We reiterated to him that this is a window of opportunity to move forward on the ICTY front, but reminded him that the window has already been framed - most recently by Ollie Rehn - with the condition that Mladic be turned over before the SAA can be signed.

POLT